

The Midnight Crime

By Dr. George F. Butler and Herbert Ilesley

Dr. Furnivall's Psychometric-Deductive Solution of a Perplexing Case



MRS. PHILPOTS started up and leaned forward in bed suddenly, every sense strained to a painful degree of acuteness. Some kind of an ominous sound, apparently coming from a point near by, in her own house, had startled her out of her midnight slumber. Occupying the back parlor, the door of which she had left open invitingly for such stray breaths of air as might be enticed that way on the stifling hot night, she had an unobscured view of the hall as, with wide eyes and pounding pulses, she remained propped rigidly upon her elbow. The sound came again—it was a pistol-shot! There could be no doubt this time. And almost on the instant she saw a shadowy form spring out from the front parlor, wrench open the hall door, and slamming it violently, disappear in the direction of the street.

For a long moment she could not credit her senses. That such actions as this sight and sound implied could occur in her own select boarding house was unbelievable, and effort on her part was required to adjust her bewildered mind to the situation. But she was a woman of executive ability in her way, and with comparatively little loss of time she sprang from her bed, threw on a wrapper and ran along the hall. The door of the front parlor was open, and the shades being raised, she could discern through the fitful moonlight a shape dimly outlined on the sofa.

"Who is there?" she asked in a strained whisper. No answer came, and she repeated the question. Still the form neither moved nor spoke.

Groping until she found a match she hastily lighted the gas, and then she recognized the figure as that of Mr. Truro, who, with his wife, occupied the room. Dressed in pajamas solely, as if he had been preparing for bed, or had recently risen from it, he was huddled against the arm and back of the sofa, head lolling, legs relaxed, and from some hidden part of his body a thin stream of blood dripped. No pistol appeared in sight, but little wreaths of blue smoke hung over the table, and there was a pungent tang in the dead air, speaking witnesses to the nature of what had occurred.

Shivering as if with the ague, yet managing to repress the exclamation of horror that rose to her lips, she looked with dreading eyes in the direction of the bed. There lay the wife almost hidden by the clothes, which were piled upon her in twisted heaps, as if the husband jumping suddenly up had thrown this share of the covering hastily to that side. Her face was white, the eyes staring; and Mrs. Philpots, no longer able, try as she might for her house's sake, to restrain her emotion, uttered a scream on scream and fled to her room, shutting and locking the door after her. But the sight of the telephone which was installed there directed her energies in some degree, and after a moment of effort at collecting her faculties she hastened to it and summoned the police.

When the officers and the assistant medical examiner arrived they found that the man, though wounded seriously in the region of the heart, was alive, but the woman's eyes were already fixed in the stare of death. She had been shot through the heart. Both bullets, the one which had found the wife, and that which had entered the husband, had been aimed to kill, the one unerringly, the other a flinger's breadth to the right, missing as by a miracle a vital spot.

"Who done it—how did it happen?" the sergeant of police asked, excitedly, of Mrs. Philpots, who, reassured in a degree by the presence of living human beings, had regained sufficient courage to come back to the room of tragedy, after admitting the officers.

"I heard two shots and saw a man run out of here into the street," she answered in an awed voice, "and that is all I know—"

"Did you ever see the man before—what did he look like?"

"It was dark, and I was lying in bed. I could not see distinctly at all. But I should say he was a small man. He had on a derby hat, of that I am sure. He had a revolver in his hand, too. In his excitement he seemed not to think of throwing it down, but worked away at the door lock still holding on to it, and it bothered him. I did not think of this at the moment, but as I look back, that is the way it seems to me."

"You oughter told us this when you 'phoned us," the sergeant grumbled. "Then we could be on the lookout for him on the way here. He's had time enough to scot into the next county now."

"I was frightened. I scarcely knew what I was doing."

The sergeant hastened to the telephone and warned his station of the escape of the assassin. Then he returned to Mrs. Philpots.

"Who are these people?" he asked.

"Do you know 'em well? How long have they been with you?"

"They have been here two weeks only, and I scarcely know them at all. They said that they had been married a year, and that their name was Truro. They seemed to have plenty of money, and were very pleasant, the handsomest couple I ever saw in my life, and were wholly wrapped up in each other."

"What was the man's business?"

"I don't think he had any business. I think he had plenty of money. He always paid his bills promptly, anyway."

"Yes—for two weeks. Good judgment!" grunted the sergeant, cynically. "Well," he continued, "who do they know—who calls on them?"

"I can't say whom they know, but in all the time they have been here only one person has come to see them, and that was a woman."

At this moment the wounded man groaned, and the physician who was caring for his hurt put his ear to the lips which were moaning some scarcely intelligible words.

"Coward! Oh, coward, coward!" the doctor thought he said.

"Can he talk?" the sergeant asked, eagerly, coming nearer.

"Coward! coward! coward!" the patient groaned again, this time in a stronger tone, the syllables sounding distinctly.

"Ask him who shot him?" whispered the officer to the medical examiner.

The groaning man suddenly opened his eyes and looked at the sergeant.

"What are you here for—what has happened?" he asked, faintly.

"Here, take this," said the doctor, putting a restorative to the pale lips. He gulped it painfully, the doctor holding his head. Then he closed his eyes wearily.

"Can you tell who shot you?" the sergeant insisted, speaking in a low voice, but with a trace of command in it.

The eyes flew open again, the man attempted to raise his body and look toward the bed, but the effort was too much for him. He sank back, uttering one word:

"Sh—sh—she!"

The doctor laid a soothing hand on his. The patient looked pitifully into his eyes and understood.

"Oh, God! Coward! coward! coward!" he cried, with bitter energy.

"But who was he?" said the sergeant, advancing still nearer and looking down into the handsome eyes.

"I don't know," he answered.

"But how did he get in here? Mrs. Philpots saw him slide out—he was in here all right. He didn't fire through the window, or this door. Did you see him at all? Tell us how it was."

With great difficulty, and making many pauses for breath, he succeeded in informing them that in the night he had been suddenly awakened by a noise in his room, and saw a man at the pockets of his trousers which hung on hooks near the foot of the bed. The weather being extremely hot the windows were open, and the shades, raised to their full height, allowed enough moonlight to enter to enable him to see that the figure was that of a man, and that was about all. His face was unrecognizable. He could not tell how the intruder was dressed. Immediately he made a movement to spring from bed and grapple with the thief, but his wife, who must have been awake, threw herself upon him, whispering: "Let him take what there is and go. Don't risk your life, dear. He has a pistol!" At that instant the burglar fled, the wife receiving the shot. The husband sprang to the floor and rushed upon the man, who then fired again and ran from the room, pursued by the wife only as far as the sofa, where he collapsed. He supposed the villain had gained entrance through the window. It was some common thief, who wanted money and, being detected, had shot them in order to escape.

"You called him a coward because he shot a woman, then, and not because you knew him?" the sergeant asked.

"Certainly. A thousand times yes. How could I be supposed to know a common thief?"

Two of the policemen, who had been searching the premises for evidence, approached the sergeant with a man attired only in a shirt and trousers. He was one of the several lodgers who had crept down from their rooms to the parlor to see what the trouble was, but had been excluded by the officers.

"This fellow says he seen a woman come up the steps," said one of the policemen.

"A woman!" the sergeant exclaimed. The official was a big, bluff, choleric appearing personage, and he regarded the new witness with belligerent eyes. But the newcomer smiled amiably.

"My room is two flights up, over this one," he said. "The night was so hot that I put my head out of the window for air, and I saw a woman come down the street and up our front steps. I listened, but didn't hear her come in. Pretty soon I heard a shot, and after that an awful screaming."

"But that must have been Mrs. Philpots that screamed—long afterwards. And how could you tell it was a woman?"

"I didn't think of it before," she said, hastily, "but it might have been a woman I saw, after all. The light was indistinct, as I said, and of course I never dreamed of its being a woman."

The sergeant scowled. This young man was probably a good boarder, whom she liked, and she would not stand tamely by and see him discredited. That was all the stock he took in her evidence. He turned to the wounded man.

"You saw that it was a man, you said. Are you sure of that?"

"I thought of course that it was a man—I would not take my oath on it," he answered.

"But," the sergeant growled at Mrs. Philpots: "You said this person that you saw had on a derby hat. Does women wear derby hats?"

"Yes, they do," she said, defiantly.

"They wear all kinds of hats that they can get to wear—that are becoming." She eyed the officer, and he realized that he had made the mistake of rousing her hostility by his manner. She would say nothing now, he felt sure.

"A nice bunch of witnesses we've got!" he whispered, disgustedly to the doctor. "One's drunk and one's mad and one's hurt, so he can't think. And none of 'em knows a woman from a man when they see 'em!" Then he addressed Mrs. Philpots, his tone somewhat softened from its former gruffness:

"You say a woman called on these people once—did you know her?"

The boarding mistress hesitated, glancing at the wounded man who, the sergeant thought, flashed a warning to her with his eye. He waited grimly for the answer to his question.

"No, I didn't know her," Mrs. Philpots said, finally. He regarded her cynically a moment, and then asked the man on the sofa:

"Who was she? You must know."

"Certainly," he answered at once. "She was my wife's landlady who came—"

"That is enough!" exclaimed Mrs. Philpots, sharply, to him. "I wasn't sure what I'd better say until I heard your explanation, and if you are going to lie about it—I!" She turned to the sergeant with restrained indignation in her face. "That woman was no landlady," she said. "She was a lady, or looked like one, and in all but one thing acted like one. I saw him with

her, and he—well, she was crying in his arms. And he knows I saw them together. He gave her money, too."

"Will you keep quiet!" almost screamed the wounded man. It was the last effort of which he was capable, and immediately he relapsed into unconsciousness.

"We can't have any more of this," said the doctor, sternly, to the sergeant, as he hastened to the patient's aid. "We must rush this poor fellow to the hospital and try for the bullet he has in him. You should not have attempted to conduct an examination here, with him in this state and that body on the bed. It was indecent."

"You put your side of the job through and I'll manage to worry mine along without any help," the sergeant growled, belligerently. "There's a phony streak somewhere in this mixed up murder and burglar, and it's my duty to dig it out. And," he added, slowly and significantly, eyeing Mrs. Philpots, "I'm a-goin' to dig it out!"

"Dr. Furnivall," said Mrs. Philpots, "I requested you to call here in order that I might ask you to find the real criminal in this awful case, and thus protect me from the police, who are doing all in their power to make my house notorious and mix me up in this dreadful crime. That sergeant has acquired a grudge against me for some reason or other. See the crowd at my door—owing to the publicity he has given the affair! And this officer right here in my own hall! It is scandalous!"

"The sergeant is merely doing his duty as he sees it," the doctor responded. "Your contradictory evidence justifies him in his action."

"But how could I be sure whether or not it was a woman, in the uncertain light? I said in the first place that it was a man because the idea of a woman doing such a thing never entered my head. Even now it seems preposterous. I took it for granted that it was a man. But the instant one of my boarders testified that he saw a woman come up the steps the thought of that woman who called on Mr. Truro occurred to me, and I hesitated."

His interview was so strange! I became less sure that the person I saw was a man. Indeed, if I could only have had time to choose my words in the first place I should have said 'person,' not 'man,' and not 'woman.' That would have been the real truth."

"This woman, you say, visited Mr. Truro. Was Mrs. Truro away?"

"She was in the kitchen with me, doing some ironing. She knew the lady was there, but seemed to wish not to meet her. I think that, knowing she was coming, she made an excuse to go down stairs in order to avoid her."

"She said nothing about her?"

"No; I judge from her actions. She was very sweet and gentle, and I am sure would never say anything against a person, no matter how much she should dislike him. But she would not return to her room until this woman had gone away. I could not help suspecting that she was some girl Mr. Truro had liked before he met his wife—something of that sort. And she was jealous. I thought how foolish she must be to feel that way, he so plainly loved her with all his heart. But as I came up the back stairs I saw in the mirror, their door being open, that this woman was in his arms weeping, as they stood near the center of the room, and he was soothing her. I was astounded. A roll of money lay on the table, where it did not lie a few minutes later when she had gone and Mr. Truro had come to the head of the stairs to call his wife, so I could only suppose she took it when she went. He was giving her money! Mr. and Mrs. Truro loved each other to the point of worship if

over a couple did. It did not seem possible that any human being could be such a hypocrite as he appeared to be, and I concluded that she must be some poor relative in trouble, whom he was helping in some great sorrow against his wife's wishes. The money indicated that, and I could explain what I saw in no other way, so I said nothing, resolving to give him the benefit of the doubt. For he certainly seemed the nicest kind of a man I ever had here and I wanted to believe in him. Besides, he saw me in the mirror as I looked at them there in each other's arms, and as he made no objection, I thought he felt that he had done no wrong, nothing that needed excuse. But now—I don't know what to think. If he really loved this other woman, and not his wife, and if it was a woman who came up those steps at dead of night—"

She stopped, shuddering. Dr. Furnivall rose briskly.

"To begin at the right end of the case," he said, "I would first see the man, or the woman. But as he is at the hospital and I am here, while the woman remains unknown, I will look at the body and then examine the room."

Shown by the boarding mistress to the scene of the tragedy he studied the face of the victim lying in the bed. The undertaker had not yet arrived, it being still early in the morning, and the body remained as the medical examiner had left it a few hours before.

"A face that would be beautiful," he said to himself, "but for the premonition of sentiment over thought in it. That changes the adjective to 'pretty.' The sweetness which Mrs. Philpots saw is really mildness, gentleness, of the kind due to lack of force. The girl was weak. She was also good, and high-minded in her way; sensitive in the extreme. She lived in the air, in the clouds, not on the solid, practical earth. She was so young—"

not over 18—that the signs of the tragedy were so fresh and so overtake such a character exist in her features only faintly, in hints, indirections, possibilities, not as prophecies. That appearance would have developed later. But it is there—high tragedy! That a mere thief should act as the purveyor of fate to her is impossible. She was above the reach of a person on that plane. It was sentiment that killed her, not brute criminality. Therefore the indications so far point to that other woman, either as principal or accessory. There was no thief in the case. Yet Truro says that the murderer was at his trousers pockets. Did he recognize this person, and was that statement false, made to shield the guilty? It must be so. He knows who the criminal is. Otherwise he would not have tried to misdirect suspicion. This being granted, would he have applied the word 'coward' to a woman, as he certainly applied it to the criminal? In the excitement and bitterness of the moment he might have shot the epithet once, even at a woman, but he would not have reiterated it over and over, as he did, to anybody but a man. The murderer was therefore a man, and Truro knows what man. The next step is obvious."

Having called up the city hospital on the telephone, however, he learned that, while the wounded husband was doing well, his case was precarious, and as he was sleeping now it would not do to disturb him. Therefore Dr. Furnivall returned to the front parlor and began an examination of it. In a few minutes he turned to Mrs. Philpots.

"I suppose the police have searched the room," he said. "Have they taken away any exhibits?"

"I think not—nothing that I know of."

"But the furnishings here all belong to the room, just as you always let it. That is evident. The couple brought nothing into it—no bric-a-brac, no ornaments of any kind. You say they had plenty of money—they did give any reason why they did not follow the custom, by adding that kind of thing to the adornment of their apartment?"

"Oh, yes, that is all right! They were to be here only temporarily, were going to housekeep in a few weeks, and all their goods were packed and in storage."

Dr. Furnivall threw open the door of the single closet.

"Was their wardrobe packed and in storage also?" he asked. She saw with dismay that the dresses which she supposed were crowding the closet to repletion were missing. There was practically nothing on the hooks.

"I am sure they always appeared finely dressed, both of them," she said, blankly. "And they brought two great trunks. Here they are."

The doctor raised the lids. The receptacles were empty.

Without a word, and followed by the anxious gaze of the boarding house mistress, he pulled out the drawers of the bureau. They contained only the fewest possible necessities of the toilet.

"It could not be that the thief—"

Mrs. Philpots paused and interrogated the doctor with wide eyes.

"You saw him go out, and he had nothing but a revolver in his hand, you thought," he answered to her unspoken question.

"Then they were getting ready to leave clandestinely! They had taken their things away a few at a time, so as not to attract notice! Oh, I couldn't have believed it of such people, such very nice people! And they owed only a week's rent, due to-morrow!"

The doctor made no rejoinder. He was examining a photograph which had fallen from behind one of the drawers as he pulled it out.

"Who is this?" he asked her, holding it up.

"It is Mr. Truro," she said, interestedly. "I never saw a picture of him before. It is a perfect likeness. And isn't he handsome!" Her woman's delight in masculine beauty would crop out even in these grim circumstances.

The doctor stood a moment in thought. His face was serious.

"Madam," he said, at length, "let me tell you a short story. Once two very young people, a boy and girl, scarcely done being children, sentimental and high-strung, fell in love and saw the possibility of this thought in their faces, as you can in the faces of so many young enthusiasts. It was not an uncommon thought. So one night they lay down on their bed and, putting the revolver to her heart, kissed her passionately, no doubt, and fired. The muzzle of the weapon was so close to the mark that the robe she wore was burned. She died instantly, without pain, a heavenly smile on her pretty, trusting, young face. Then, trembling with terror at what he had done, the boy resolutely turned the pistol against himself, but missed a vital spot. The shock of the bullet added to his terror, and half insane, he sprang up, clapped on his hat through force of habit, and dashed from the house."

"For some reason, perhaps because he saw persons approaching, or suddenly realizing the condition of his dress, or more likely because the open air of the wide world gave him a feeling of desolation greater than ever, now that she was no longer by his side, he turned almost immediately and rushed back to the house where the body of his loved one lay. He had no key, but the night being very hot the window was raised, and easily reaching it from the steps he crawled into his room, mechanically and married each other under difficulties of some kind. Probably the chief difficulty consisted in the fact that the youthful bridegroom's family objected utterly and with finality to the match, and cast him off for consummating it, for it was easily to be seen that the girl was of a social sphere very different from his. There was one relative, perhaps a sister, who pitied him, and visited him once bringing money, which his pride would not allow him to accept while his adored wife remained unrecognized, and so the relative, after weeping out her pity and affection in his arms, went away taking the rejected offering with her. And they needed it very much. Proud with inherited pride, with no money, no profession, no trade, unable to fight the world with any chance of success, through his youthful ignorance and sensitiveness, yet thinking it absolutely necessary to keep up appearances, he finally, after a year of failure, disappointment and perhaps some downright want, having pawned all their valuables, came to the agreement with her that it would be infinitely better for them to die together than to attempt to struggle any longer in the cold world with no happier prospects than theirs. It would be beautiful to die, both of them at the same instant, and remain in peace and great love together thereafter through all eternity. You could closing and fastening the sash behind him, and collapsed on the sofa. One of the boarders had seen him come up the steps, and on account of the loose-fitting pajamas had mistaken him for a woman. The same boarder had also in the excitement he was laboring under, placed the sound of the shots he heard after, instead of before the entrance of the person he had observed. The hemorrhage from the boy-husband's wound, being mostly internal, left only a few blood drops here and there, which escaped the eyes of the police; but one investigator discovered them at once by aid of a magnifying lens, on the steps and on the window-fastening where—"

Mrs. Philpots, whose eyes had been growing wide with horror as understanding crept in upon her, exclaimed in a faint voice at this point and sank upon a chair.

"B-but," she stammered, "he said a thief—and he called him a coward—"

"Having no settled course of action, horrified by the realization of the crime he had committed, his sensitiveness, even more than his lack of brute courage, filled him with an awful fear of detection, he said whatever promised to send investigation astray. It seemed easy to charge the deed to an unknown thief. In reality he had nothing worth stealing but a bundle of pawn tickets in a bureau drawer. Despairing himself for his failure to follow his wife at all costs, it was at his own head, not another's that he flung the epithet of coward."

The boarding mistress sat weeping softly into her handkerchief. The ache at her heart was so great that she could not speak.

"I have told you this story," continued Dr. Furnivall, "in order that I might ask your advice. It is a true story in all the essentials, you may rely on it. Now suppose that a woman were suffering persecution from the police on account of that foolish, very human boy-husband's crime? Would you, knowing the truth, advise that woman to send me to force a confession from him on what might be his death bed, in order to stop that temporary persecution?"

Mrs. Philpots flung her handkerchief to the floor with a tragic gesture, her eyes flashed, she sprang erect and stamped her foot.

"Dr. Furnivall, if you dare—" she began in a blaze of rage.

He smiled. The telephone bell was ringing, and he went in to it. In a moment he returned to her.

"He is dead," he said, simply. (Copyright, 1909, by W. G. Chapman.) (Copyright in Great Britain.)

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A Case for Sympathy. Two matrons of a certain western city, whose respective matrimonial ventures did not in the first instance prove altogether satisfactory, met at a woman's club one day, when the first matron remarked:

"Hattie, I met your 'ex,' dear old Tom, the day before yesterday. We talked much of you."

"Is that so?" asked the other matron. "Did he seem sorry when you told him of my second marriage?"

"Indeed, he did; and said so most frankly!"

"Honest?"

"Honest! He said he was extremely sorry, though, he added, he didn't know the man personally."—Lippincott's Magazine.

Shortcake. The strawberry shortcake, I love it. I love it! I prize it more dearly than tongue and to tell! No sherbet or pudding or pie is above it; there's nothing in pastry I like half so well. Just give me a section as large as a platter, with freshly crushed berries spread over the lot, and I am contented and happy, no matter what ailment or trouble or sorrows I've got. Ho, bring on the shortcake, the strawberry shortcake, and always and ever I'm Jack-on-the-spot!—Los Angeles Express.

Spoken from Experience. It was the grammar class and the teacher had asked for words ending with "ous." "Can any one," she said, "give me a word like 'dangerous,' meaning full of danger, 'hazardous,' full of hazard?"

There was silence for a moment. Then a boy in the back row put up his hand.

"Well, Bobby, what is your word?" "Please, Miss," came the reply, "plous, full of pie!"

Position Had Drawbacks. Poet (to his practical friend)—Is there anything more beautiful than to see those magnificent swans float upon the lake's silver surface? How I would love to be like them!"

"What! Go around with one's stomach on that cold water all the day? Not for me, thank you."

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Austrian Metropolis Has Institution That Has Accomplished Much Real Good.

On the recommendation of several medical men in Vienna the municipality last year opened an institution called here by the popular name of "Gauschaufel." It is simply an open air sanitarium for healthy persons. The old idea that sunlight, air and

water are the main restoratives at our disposal was long ago taken up by a non-medical philanthropist, who opened an establishment of the most primitive kind on the banks of the Danube on the outskirts of Vienna. The results obtained by him have prompted the municipality to enlarge the establishment and conduct it on modern principles.

An immense area covered with fine sand, deposited from the Danube,

which used to flow there in ancient times, a long river bank with shallow, rapidly flowing cold water and the absence of any shade giving trees are the three principal health giving factors relied on. Special care has been taken to enable schools to make use of the facilities offered there; 4,000 persons can address at the same time, and free tickets have been granted to schools and workshops, so that on some days last summer 10,000 persons were seen there, going about in the open air nearly naked.

It must be admitted that the institution has done much to convince the lower classes of the good influence of a natural mode of life. No less than 200,000 persons have availed themselves of the opportunity offered them and for this year an increased area has been thrown open for the "air cure." There is a special medical attendant present.

The fence surrounding a watermelon patch is one of the things lightly passed over.

A Connecticut Mystery

Alvin P. Cole, a white-bearded patriarch about seventy years old, who is landed in the police station about once in so often, had one of his spells the other afternoon. He had, at the time, a five-dollar bill.

Along in the evening he sobered up enough to be let out, and Serg. Creedon told him to take the car for his home in Glastonbury before his money was taken away from him. About an

hour later he came in in worse shape than before—convulsively—but to every one's astonishment he had this time \$5.10.—Hartford Times.

In Last Night. "10 (paler)—How do you get a chance to study? You are out nearly every night."

"99 (non-paler)—I was in \$20 last night.—Penny-Punch Bowl.